

STRATEGIC SERVICES UNIT
WAR DEPARTMENT
OFFICE OF GENERAL COUNSEL
STATEMENT OF JUSTIFICATION
BUDGET FOR FISCAL YEAR ENDING 30 JUNE 1947

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Estimates for the Office of General Counsel have been determined after careful consideration.

Function: The Office of General Counsel was established by General Order No. 10, effective 10 December 1945, to give legal advice to the Director and all branches of the Strategic Services Unit.

Activities: By the terms of General Order No. 10, paragraph III (5), the Office of General Counsel "shall advise, and prepare studies and reports for the Director on all legal matters arising in connection with the work of the organization." This Branch also reviews, before any commitments are made, all contracts, agreements, leases and other legal papers to which SSU is a party; renders legal advice and handles legal matters pertaining to all phases of operations of SSU; and advises and assists the Finance Branch in ascertaining and determining proper procedures with respect to Special Funds to insure that proper and accurate accounting of expenditures is maintained. The Branch further gives emergency legal assistance; handles problems of leases, conveyances and other questions of real property involving SSU; examines and approves, in advance of issue, all orders and regulations containing legal questions promulgated by the Director and all SSU General Orders, Special Orders, Administrative Instructions, Interoffice Memoranda and other directives which report, interpret or involve statutes, Government regulations, decisions of the courts, the Attorney General, the Comptroller General, or similar authorities.

Coordination: All relations with other agencies or instrumentalities of the Government involving any legal problems pertaining to SSU or its activities are handled through and with the concurrence of the Office of General Counsel, and it has been assigned the sole responsibility for liaison with the Legislative Branch of the Government (see Staff Memorandum No. 15, dated 14 December 1945).

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It has frequent contacts with the Department of State and the Immigration and Naturalization Service on citizenship and naturalization problems involving SSU personnel. It also works with the Treasury Department on SSU Agent-Cashier matters and other financial problems and with the Bureau of Internal Revenue on tax matters. Relations with the United States Employees' Compensation Commission on death and disability claims of SSU personnel are also handled by this Office.

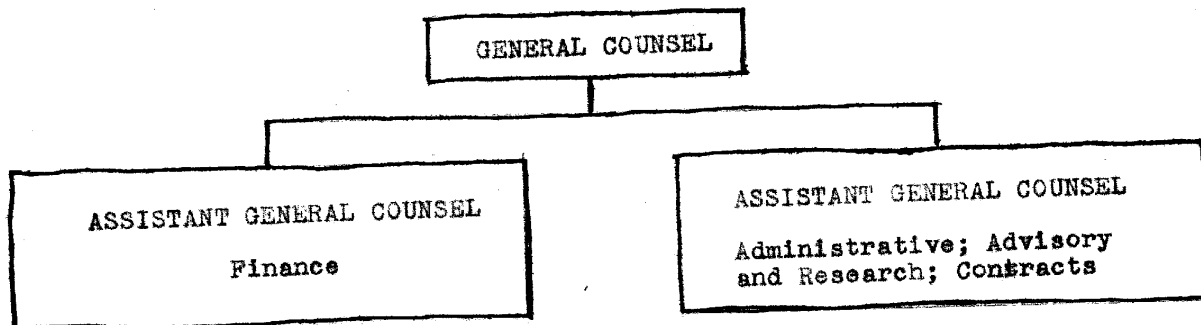
Change in Function: With the cessation of hostilities and the partial liquidation of the Unit, the mission of the General Counsel's Office has changed considerably. With lessening security problems, all routine legal matters have been handed over to other offices who normally perform such functions for Government agencies. Thus contract terminations are handled by the Contract Division, claims are referred to the Claims Officer at headquarters, and other functions previously handled by this Office have been otherwise disposed of. The present directive from the Director specifies that General Counsel's Office shall devote itself to those legal problems peculiar to the Unit and its current activities, and to such problems arising out of past activities as involve security or cannot be handled by other Government offices. With this narrowing and defining of this Office's mission, it is estimated that the Office can operate adequately with a greatly reduced staff, and, since this staff will no longer work as closely with the military branches of the Government, it is thought that the use of Army and Navy officers can no longer be justified. Consequently, an all civilian staff is recommended herein. This estimate has been discussed with and approved by the Director's Office.

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Exhibit I
(Organizational Chart)

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OFFICE OF GENERAL COUNSEL



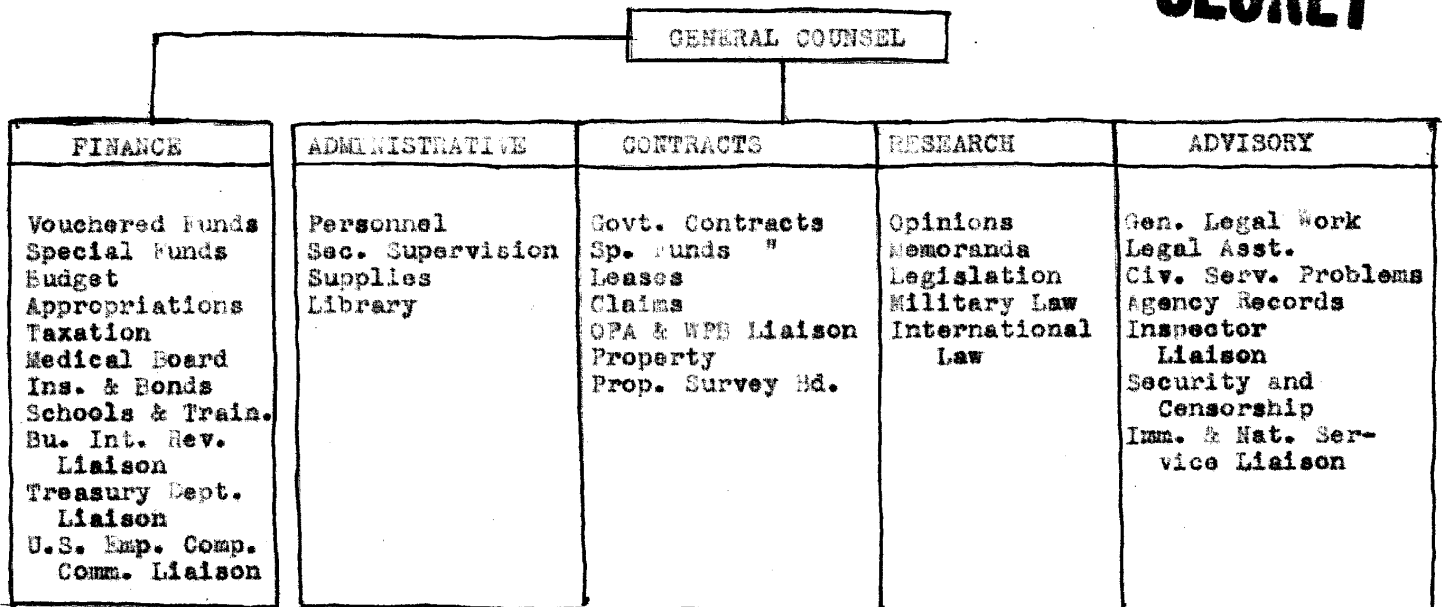
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Exhibit II

(Functional & Flow of Material Chart)

OFFICE OF GENERAL COUNSEL

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Personal Services: Although the routine work will be far less than the Office handled during the war, it is anticipated that the special legal problems of the Unit will increase in number and technical difficulty during peace-time activities. During the war the great majority of the agency's operations were carried on in active theaters of war where the Army regulations were the only law which need be followed. This made it comparatively simple to reach a practical decision on most of the legal difficulties. As the theaters are deactivated local law will again come into force and experience with problems which have heretofore arisen in neutral countries indicates that the impact of local law invariably creates intricate legal situations. In addition, the eventual termination of the Emergency War Powers in the United States will create complicated questions on the extent of the authority under which the Unit operates. For an indeterminate time also, the flow of a great variety of problems arising out of past operations and the liquidation of many activities will continue to be referred to this Office.

General Counsel: The General Counsel acts as the head of the Office in all executive and administrative matters. He is solely responsible to the Director for all the legal advice and decisions emanating from the Office. All work of the Office is directed through and generally supervised by him, including the coordination of work performed for other branches of the agency and liaison with other Government agencies on legal matters. In addition, the General Counsel is required by the nature of his duties to perform certain special confidential legal services for the Director, Executive Officer, and branch and office Chiefs.

Assistant General Counsel: One Assistant General Counsel is assigned to the administrative, advisory and research, and contracts work of the Office. He assists the General Counsel directly and acts for him in his absence. In general, he does the ground-work where investigation, research and the preparation of memoranda and legal documents are required. Problems involving all aspects of the law, from war crimes to corporation law, are handled. Research in international law will become increasingly more important. He will frequently advise other branches of the Unit directly on behalf of the General Counsel on matters relating to such questions as immigration and naturalization, procurement and other operations wherein security considerations prevent reference to the normal channels. He will review and report to the General Counsel on the publications which affect the legal status of the agency, such as Congressional Record, Federal Register, opinions of the Attorney General and Comptroller General and on legislative proposals.

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Assistant General Counsel (Finance): The Assistant General Counsel (Finance) handles the most highly specialized work. It is his duty to advise on all financial matters peculiar to the Unit but especially on Special Funds problems. In effect, he is almost a separate office, as for the most part he makes decisions for Special Funds directly on behalf of the General Counsel. Only those Special Funds matters which are of special importance or involve questions of policy are brought to the General Counsel. In all cases, of course, the decision is the responsibility of the General Counsel although due to the separate and specialized nature of the work he must depend largely upon his assistant. All financial matters other than Special Funds are channelled through normal office procedures. These include budget matters, administrative control of expenditures, advice to the Director and other branches on legal aspects of Government finance, and the handling of compensation claims of Special Funds employees in cooperation with the U. S. Employees' Compensation Commission.

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OFFICE OF GENERAL COUNSEL

SUMMARY

Budget Estimates for Fiscal Year Ending 30 June 1947

1. Personal Services
2. Travel
3. Transportation of Things
4. Communication Services
5. Rents and Utility Services
6. Printing and Binding
7. Other Contractual Services
8. Supplies and Materials
9. Equipment



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